

**N THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

Food Lion, LLC, and Maryland and Virginia
Milk Producers Cooperative Association,
Inc.

Plaintiffs,

v.

Dairy Farmers of America, Inc.,

Defendant.

Case No. 1:20-cv-00442

**PLAINTIFFS' MOTION FOR EXPEDITED DISCOVERY
AND MANDATORY MEET AND CONFER**

Pursuant to Federal Rules of Civil Procedure 26 and 34, and Local Rule 16.1(f), Plaintiffs Food Lion, LLC (“Food Lion”), and the Maryland and Virginia Milk Producers Cooperative Association, Inc. (“MDVA”), by and through undersigned counsel, and hereby request that the Court enter an order granting limited expedited discovery that is narrowly tailored to gather information relevant to Plaintiffs’ Motion for Preliminary Injunction against Defendant Dairy Farmers of America, Inc. (“DFA”) [ECF No. 13], and that requires the parties to meet and confer promptly about relevant discovery and briefing issues.

Contemporaneous with the filing of this motion, Plaintiffs have submitted a supporting memorandum of law pursuant to Local Rule 7.3(a).

Plaintiffs therefore ask that the Court issue an order providing the following:

- a. that Plaintiffs' Motion for Expedited Discovery and Mandatory Meet and Confer be granted;
- b. that DFA provide the previously-produced documents request in Request Nos. 1 and 4 in Plaintiffs First Set of Request for Production, attached as Exhibit A to this motion, within three (3) business days of the entry of the order, or at such other time as may be mutually agreed by the parties;
- c. that DFA provide documents in response to all other Requests in Plaintiffs' First Set of Requests for Production, attached as Exhibit A to this motion, within fourteen (14) days of the entry of the order, or at such other time as may be mutually agreed by the parties;
- d. that the parties engage in a Local Rule 16.1(f) Conference within three (3) business days of the Court's order and be prepared to discuss at the same time any objections to specific discovery requests; a schedule for propounding and responding to any additional discovery believed necessary by either party in connection with Plaintiffs' Motion for Preliminary Injunction, including any depositions; and any proposals concerning briefing or scheduling of Plaintiffs' motions.

DATED: May 28, 2020

Respectfully submitted,

HUNTON ANDREWS KURTH LLP

s/ Ryan G. Rich

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*Attorneys for Maryland and Virginia Milk
Producers Cooperative Association, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on May 28, 2020, I electronically filed this document with the Clerk of the Court using the CM/ECF system, and that said document was served on the defendant via UPS Overnight Mail, addressed as follows:

DAIRY FARMERS OF AMERICA, INC.
c/o Corporation Service Company
251 Little Falls Drive
Wilmington, DE 19808

/s/ Ryan G. Rich

Ryan G. Rich